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OFFICE OF PETITIONS

In re Application of
Scott Leonard Daniels, et al.
Application No. 10/054,184
Filed: January 22, 2002
Attorney Docket No. AUS919970560US2

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed September 2, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely respond to a Notice to File Corrected Application Papers mailed April 9, 2002. The notice required substitute drawings in compliance with 37 CFR 1.84.

Petitioner explains that while the response was due no later than June 9, 2002, the requisite drawings were filed July 21, 2003, along with a two month petition for extension of time. Petitioner requests that the application be revived under 37 CFR 1.137(b) and that the extension of time fee be refunded.

The petition is found to be in compliance with 37 CFR 1.137(b). Since an extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply, the \$410 extension of time submitted on July 21, 2003 is unnecessary and will be credited to petitioner's deposit account.

The application file does not indicate a change of address has been filed in this case, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

The application is being referred to the Technology Center AU 2857 for examination in due course.

Telephone inquiries related to this decision should be directed to the undersigned at (703) 305-9220. Telephone inquiries related to OIPE processing should be directed to their hotline at (703) 308-1202.



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